

Environmental Checklist Form

1. Project Title:

“Kensington Combining District” County Files # GP040003, ZT040002 and RZ043149

2. Lead Agency Name and Address:

Contra Costa County, Community Development Department
Administrative Building
651 Pine Street
4th Floor – North Wing
Martinez, CA 94553-1295

3. Contact Person and Phone Number:

Ryan Hernandez, Planner
Community Development Department
Administrative Building
651 Pine Street
2nd Floor – North Wing
Martinez, CA 94553-1295
(925) 335-1206

4. Project Location:

“Kensington Area” means the unincorporated portion of Contra Costa County located within the Kensington Community Services District. The Kensington Community Services District is generally located north of the Contra Costa County line, east of Santa Fe Avenue, west of Kensington Road and south of Gelston Place. See Exhibit “A” for a map of the Kensington area.

5. Project Sponsor's Name and Address:

Contra Costa County
Administrative Building
651 Pine Street
2nd Floor – North Wing
Martinez, CA 94553-1295

6. General Plan Designation:

The existing general-plan designations for the Kensington area include: Single Family Residential High Density (SH), Commercial (CO), Public/Semi Public (PS) and Open Space (OS). See Exhibit “B” for a map of General Plan designations. A general plan amendment to the Land Use Element of the County General Plan is concurrently being processed to provide a policy framework for the adoption of the Kensington zoning ordinance. The general plan amendment will ultimately create policies that promote a comprehensive residential design standard for the Kensington Area. The

General Plan Amendment does not propose changes to allow additional development in Kensington it is intend to establish the policy for design review procedures.

7. Zoning:

Kensington has the following existing zoning districts within its borders: Single Family Residential (R-6), Planned Unit Development (P-1), Retail Business (R-B), and Limited Office (O-1). See Exhibit “C” existing and proposed zoning districts within Kensington. The Tree Obstruction of Views ordinance (TOV), is also an existing combining district that overlays all of Kensington. The proposed Kensington Combining District Ordinance will be combined with all existing zoning districts and it does not eliminate any standards the existing districts impose.

8. Description of Project:

The project includes the following proposed actions: 1) approval to amend the Land Use Element of the County General Plan to include new policies for the Kensington area intended to assure reasonable design compatibility of new residential development; and 2) adoption of a text amendment (Kensington Combining District) that establishes a zoning district which will combine with all existing zoning districts; and 3) application of the new zoning combining district to the Kensington area.

These actions are of a regulatory nature that would not result in new residential development.

This proposal would eliminate the existing “small lot” design review process, only within the Kensington Area, and replace it with new design procedures that will require all properties to be reviewed against a standard set of design criteria prior to the issuance of building permits.

Existing “Small Lot” Process: Currently, lots that do not meet the minimum size standards (e.g. average lot width, area) of the applicable zoning district are subject to the existing “small lot” design review process (§82-10.002). Applicants currently submit materials (e.g. site plan, floor plan, and elevations) for new residential development on “small lots”. A notice is prepared that includes a description of the project and is sent to neighbors within 300-feet (measured from the outside of the parcel) for a 10-day review.

The notice could result in two different results: 1) a request for public hearing having been timely filed requires a public hearing to evaluate the developments compatibility with the surrounding neighborhood based on Location, Size, Height, and Design; or 2) a public hearing is not requested and the project is reviewed by the Zoning Administrator, and building permits are issued.

Proposed Project: The proposed project, affecting the Kensington Community only, would completely replace the existing “small lot” review process. The proposed Kensington Combining District Ordinance differs from the existing process in two key ways.

1. The Kensington Combining District would apply to all residentially zoned properties (not just substandard lots). The existing requirement only applies to substandard lots, which accounts for approximately half of the residential lots in the community.
2. The proposed ordinance establishes a number of criteria that would be used to determine whether a project may be approved, whereas the existing Code relies on more subjective standards (i.e. compatibility with the residential neighborhood in terms of location,

design, size and height).

The new ordinance procedures, if approved, will require compliance with a standard set of design criteria for all parcels residentially zoned within the Kensington area.

9. Surrounding Land Uses and Setting:

Kensington is primarily residential in character and is nearly built out. There are specialized pockets of different land use such as the Kensington School, Sunset View Cemetery, and two neighborhood business districts. The surrounding property is largely single-family residential with exception of the parks. This unincorporated area is located in the southwest section of the County. It consists of major hillsides, narrow-windy roads, and striking views of the Richmond-San Rafael, Bay, and Golden Gate Bridges.

- **North.** The City of El Cerrito, City of Richmond, and Wildcat Canyon Regional Park.
- **East.** The City of Richmond and Tilden Regional Park.
- **South.** Alameda County consisting of the City of Berkeley, and City of Albany.
- **West.** The City of El Cerrito.

10. Approvals:

- A. Proposed Amendment to the General Plan (County File #PG04-0003) – A proposal to amend the Land Use Element of the Contra Costa County General Plan to provide policies intended to assure reasonable design compatibility of new residential development and protection of views within the Kensington community. The Kensington community is located within the western portion of Contra Costa County, immediately north of Alameda County and is approximately 480 acres.
- B. Proposed Adoption of a (Kensington) Ordinance Text Amendment (/K) (File #ZT04-0002) – A proposal to adopt an amendment to the Zoning Ordinance text to provide for a new zoning district intended to be combined with the existing zoning to regulate new residential development. The ordinance is intended to provide review procedures for achieving reasonable design compatibility with the surrounding neighborhood and protection of surrounding views of natural and human-made features.
- C. Proposed Application of the Proposed Kensington Combining Zoning District to Existing Zoning within the community of Kensington (County File #RZ04-3149) – A proposal to apply the proposed Kensington Combining District (/K) to existing zoning within the Kensington Community. Currently, the community of Kensington consists of the following zoning districts: (Single-Family Residential – Tree Obstruction of View Combining District (R-6/TOV); Retail Business – Tree Obstruction of View Combining District (R-B/TOV); Planned Unit Development – Tree Obstruction of View Combining District (P-1/TOV); Limited Office – Tree Obstruction of View Combining District (O-1/TOV). The lands within the unincorporated community of Kensington are located generally south and east of the City of El Cerrito, north of the City of Berkeley, and west of the City of Richmond, Tilden, and Wildcat Canyon regional parks.

11. Other public agencies whose approval is required (e.g. permits, financing, approval, or participation agreement):

Not Applicable

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation:

- X I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature

Date

Ryan Hernandez
Project Planner
Contra Costa County Community Development Department

SOURCES

In the process of preparing the Checklist and conducting the evaluation, the following references (which are available for review at the Contra Costa County Community Development Department, 651 Pine Street 2nd Floor-North Wing, Martinez) were consulted:

- 1) Contra Costa County General Plan, (1995-2010)
- 2) Title 8, Planning and Zoning Ordinance, Contra Costa County
- 3) Kensington, Past and Present, Woodford Press, Copyright 2000
- 4) Community Development Department Digital Map Library
- 5) Field Surveys, July & August 2004
- 6) Project Description
- 7) Bay Area Air Quality Management District CEQA Guidelines, 1999
- 8) State of California, Department of Conservation Important Farmland Map, 2000
- 9) USGS Topographic Map, Richmond Quad.
- 10) Earthquake Fault Zone Map, 1982 USGS Richmond Quad.
- 11) 2002 Hazardous Waste and Substance Sites (Cortese C) List – State of California
- 12) Kensington Combining District Ordinance Draft – 2003
- 13) Proposed General Plan Amendment Policies

EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. <u>AESTHETICS</u> – Would the project:				
a. Have a substantial adverse effect on a scenic vista? (Source: 1)	_____	_____	_____	<u>X</u>
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1)	_____	_____	_____	<u>X</u>
c. Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources: 1, 5)	_____	_____	_____	<u>X</u>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? (Sources: 6)	_____	_____	_____	<u>X</u>

SUMMARY: No Impact

- a-d) The Kensington Combining District Ordinance will introduce a more comprehensive level of design criteria to replace the existing “small lot” design review. These comprehensive design procedures shall apply to all residential development within the Kensington area.

The current regulatory system only allows for design review on lots that do not meet the minimum requirements (e.g. average lot width, area) for their respective zoning district known as “small lots”. Therefore lots that conform to the zoning district, and otherwise are in compliance with setbacks, height, parking, are not subject to a design review. With the implementation of this comprehensive design criteria all parcels, whether considered by the County as standard lots or “small lots”, shall be required to comply with the design criteria standards.

The design review procedures will provide for standard criteria that will be required to be reviewed for all new residential development. The implementation of this would not degrade the existing visual character of Kensington since its purpose is to establish new design review procedure.

II. AGRICULTURAL RESOURCES

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 8)	_____	_____	_____	<u>X</u>
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract? (Sources: 1, 2)	_____	_____	_____	<u>X</u>
c. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use? (Sources: 1, 8)	_____	_____	_____	<u>X</u>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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SUMMARY: *No Impact*

- a , c) The State of California Department of Conservation Map of Important Farmland has designated all area within the Kensington borders as Urban and Built Up Land. There are no prime agricultural areas within Kensington.
- b) No property within the Kensington area is in a Williamson Act Contract. The new Ordinance is a Combining District and will not replace existing zoning, but rather combine a layer of zoning.

III. AIR QUALITY

a. Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 1, 7)	_____	_____	_____	<u>X</u>
b. Violate any air quality standard or contribute to an existing or projected air quality violation? (Sources: 1, 7)	_____	_____	_____	<u>X</u>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Sources: 1, 7)	_____	_____	_____	<u>X</u>
d. Expose sensitive receptors to substantial pollutant concentrations? (Sources: 1, 7)	_____	_____	_____	<u>X</u>
e. Create objectionable odors affecting a substantial number of people? (Source: 7)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

- a-e) No development or physical changes are enabled with this regulatory action. The General Plan Amendment and code changes would not allow development where the current zoning and General Plan do not currently allow development.

The text amendments provide a design procedure for new residential development. The text amendments also provide for design criteria. These amendments do not modify the standards for clean air as required by the Bay Area Air Management District and are not changed with this new level of review and therefore will not have an adverse affect on air pollution.

IV. BIOLOGICAL RESOURCES – Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources: 1, 6)	_____	_____	_____	<u>X</u>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources: 1, 6)	_____	_____	_____	<u>X</u>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: 1, 6)	_____	_____	_____	<u>X</u>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Sources: 1)	_____	_____	_____	<u>X</u>
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (Sources: 1,2)	_____	_____	_____	<u>X</u>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? (Source: 1)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

- a-f) There is no development being proposed, no site disturbance, and no improvements required through the proposed actions. The adoption of the Kensington Combining District is a text amendment that will require design review procedures for new residential development within Kensington. There is no evidence to suggest that review of design criteria and design standards will have a significant adverse affect on Biological Resources within the Kensington community.

V. CULTURAL RESOURCES – Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? (Source: 6)	_____	_____	_____	<u>X</u>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1, 6)	_____	_____	_____	<u>X</u>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (Sources: 6)	_____	_____	_____	<u>X</u>
d. Disturb any human remains, including those interred outside of formal cemeteries? (Source: 6)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a – d)				
The proposal consists of a general plan amendment and adoption of a combining-zoning district. These policy and code changes do not adversely affect historical, archaeological, or other unique features on a collective or individual basis. The adoption of an ordinance that will require design review procedures and standard design criteria provides more opportunity to review a higher number of applications. Consequently, increasing the likelihood that potential impacts on cultural resources to the extent that they exist in Kensington would be evaluated through the design review procedure. Ultimately the proposed text amendments could not significantly impact cultural and historical resources.				

VI. GEOLOGY AND SOILS – Would the project:

a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Source: 1, 10)				X
	2. Strong seismic ground shaking? (Source: 1, 14)				X
	3. Seismic-related ground failure, including liquefaction? (Source: 1, 10)				X
	4. Landslides? (Source: 1, 10)				X
b.	Result in substantial soil erosion or the loss of topsoil? (Source: 1, 10)				X
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 10)				X
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1998), creating substantial risks to life or property? (Source: 1, 10)				X
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater? (Source: 1)				X

SUMMARY: *No Impact*

- a-e) This project does not propose any individual construction improvements within Kensington. As stated previously, the text amendments do provide for a residential development procedures for newly proposed residential construction.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Currently, Kensington has areas that are within an Earthquake Fault Zone (formerly known as Alquist Priolo Special Study Zone), and as such structures for human occupancy may have further structural requirements in addition to the proposed design criteria.

This proposal and code change would not allow development where the current zoning and General Plan do not currently allow development, therefore it will not increase the exposure of people or structures to potentially substantial adverse effects to the geology and soils of Kensington.

VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (Source: 6)	_____	_____	_____	<u>X</u>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 6)	_____	_____	_____	<u>X</u>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school? (Source: 1, 6)	_____	_____	_____	<u>X</u>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65862.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 18)	_____	_____	_____	<u>X</u>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area. (Source: 1)	_____	_____	_____	<u>X</u>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1)	_____	_____	_____	<u>X</u>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: 1, 8)	_____	_____	_____	<u>X</u>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 3)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a-h) A text amendment to combine the existing zoning with a new layer of zoning for the purpose of design review on new residential construction will not have an adverse affect on hazards and hazardous materials.				

VIII. HYDROLOGY AND WATER QUALITY – Would the project:

a. Violate any water quality standards or waste discharge requirements? (Source: 6)	_____	_____	_____	<u>X</u>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 6)	_____	_____	_____	<u>X</u>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site? (Source: 3, 6)	_____	_____	_____	<u>X</u>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner that would result in flooding on-or off-site? (Sources: 3, 6)	_____	_____	_____	<u>X</u>
e. Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (Sources: 1, 6)	_____	_____	_____	<u>X</u>
f. Otherwise substantially degrade water quality? (Source: 6)	_____	_____	_____	<u>X</u>
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Sources: 6, 20)	_____	_____	_____	<u>X</u>
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows? (Sources: 3, 6, 20)	_____	_____	_____	<u>X</u>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Sources: 1)	_____	_____	_____	<u>X</u>
j. Inundation by seiche, tsunami, or mudflow? (Source: 1)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a-j) Kensington is an established residential community with existing homes that are exclusively located within Flood Zone C. The General Plan Amendment and zoning code change provide a design procedure for new residential development. The text amendments also provide for design standards and design criteria. These amendments do not modify the standards for water quality and are not changed with this new level of review and therefore will not have an adverse affect on Hydrology.				

IX. LAND USE AND PLANNING – Would the project:

a. Physically divide an established community? (Sources: 1, 4, 5)	_____	_____	_____	<u>X</u>
b. Conflict with any applicable land use plan, policy, or the regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: 1, 2)	_____	_____	_____	<u>X</u>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

- a) The regulatory proposal would not physically divide a community.
- b) The proposal includes a general plan amendment that would create policies that will establish the policy framework for the proposed combining district ordinance. The outcome, if approved and adopted by the Board, will create the basis and rationale to establish the Kensington Combining District Ordinance. Therefore, it would be consistent with the General Plan as it relates to the Kensington area.
- c) No such plans exist for the area.

X. MINERAL RESOURCES – Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1)	_____	_____	_____	<u>X</u>
b. Result in the loss or availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (Source: 1)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

- a – b) There are no mineral resources located within the Kensington area.

XI. NOISE – Would the project result in:

a. Exposure of persons to or generation of noise levels in	_____	_____	_____	_____
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: 1, 6)	_____	_____	_____	<u>X</u>
b. Exposure of persons to, or generation of, excessive ground borne vibration or ground borne noise levels? (Source: 6)	_____	_____	_____	<u>X</u>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 3, 6)	_____	_____	_____	<u>X</u>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 3, 6)	_____	_____	_____	<u>X</u>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1)	_____	_____	_____	<u>X</u>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1)	_____	_____	_____	<u>X</u>

SUMMARY: No Impact

- a-f) Kensington is an established residential community with existing homes. The design review procedures will provide for standard criteria that will be required to be reviewed for all new residential development and could not substantially degrade noise. Code changes would not allow development where the zoning and general plan do not currently allow development. Furthermore, no development is proposed and no improvements shall occur with the processing or approval of these proposed actions.

XII. POPULATION AND HOUSING – Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 6)	_____	_____	_____	<u>X</u>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 3, 6)	_____	_____	_____	<u>X</u>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 6)	_____	_____	_____	<u>X</u>

SUMMARY: No Impact

- a – c) Kensington is a mature established community as such the new residential design procedures and criteria could not adversely affect population and housing. No development or construction is

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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enabled through the code changes. The design review procedures will provide for standard criteria that will be required to be reviewed for all new residential development and could not substantially degrade the existing population and housing of the area. No development is proposed as such there is no increase in the demand for housing.

XIII. PUBLIC SERVICES

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services? (Sources: 3, 6)

1. Fire Protection?	_____	_____	_____	<u>X</u>
2. Police Protection?	_____	_____	_____	<u>X</u>
3. Schools?	_____	_____	_____	<u>X</u>
4. Parks?	_____	_____	_____	<u>X</u>
5. Other public facilities?	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

- a-(1-5) The Kensington community is an established residential community with an existing Fire Protection District and a Community Services District. An application for a regulatory text amendment that allows for the adoption of design procedures and criteria does not have significant impacts to the districts or other public facilities. The General Plan Amendment and zoning code changes do no increase population of housing and therefore could not increase the demand for public services.

XIV. RECREATION

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 6)
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? (Source: 6)

_____	_____	_____	<u>X</u>
_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

- a – b) The proposed general plan amendment and combining district ordinance will not result in an increase of density of residential homes and therefore will not increase the demand for recreational

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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facilities. No new development is proposed there will not be a substantial negative impact to recreation.

XV. TRANSPORTATION/TRAFFIC – Would the project:

a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections? (Source: 1, 6)	_____	_____	_____	<u>X</u>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1, 6)	_____	_____	_____	<u>X</u>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Sources: 1, 6)	_____	_____	_____	<u>X</u>
d. Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? (Source: 6)	_____	_____	_____	<u>X</u>
e. Result in inadequate emergency access? (Source: 10)	_____	_____	_____	<u>X</u>
f. Result in inadequate parking capacity? (Sources: 2, 6)	_____	_____	_____	<u>X</u>
g. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: 1)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

- a – g) Kensington has an established road system to access its residential community. There is no change to traffic or transportation being proposed with this project as no development is proposed. The project does not create additional traffic or modify the existing level of service. The regulatory amendment does not change existing traffic patterns. This project provides a design review process for residential development that does not conflict with any policies related to traffic and transportation and therefore could not result in significant impacts to roads and traffic.

XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 6)	_____	_____	_____	<u>X</u>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 6)	_____	_____	_____	<u>X</u>
c. Require or result in the construction of new storm	_____	_____	_____	_____

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
water drainage facilities, the construction of which could cause significant environmental effects? (Source: 6)	_____	_____	_____	_____
d. Have sufficient water supplies available serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 6)	_____	_____	_____	<u>X</u>
e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 6)	_____	_____	_____	<u>X</u>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's waste disposal needs? (Source: 1, 6)	_____	_____	_____	<u>X</u>
g. Comply with federal, state and local statutes and regulations related to solid waste? (Source: 1)	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

- a-e) Kensington is a residential community that currently has established utilities and services. The regulatory amendments do not modify current existing utilities and services. There is no increase in the need to expand the current utilities and services because there is no construction improvements proposed with this project. The amendments do not modify regulations in place that pertain to solid waste and therefore could not be deemed significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish and wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	_____	_____	_____	<u>X</u>
b. Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	_____	_____	_____	<u>X</u>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	_____	_____	_____	<u>X</u>

SUMMARY: *No Impact*

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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- a-c) The proposed general plan amendment and combining district ordinance do not have the potential to degrade the quality of the environment and are not cumulatively considerable because these actions are regulatory in nature. There is no development being proposed.

The proposed project, affecting the Kensington Community only, will provide for the Kensington Combining District and would apply to all residentially zoned properties (not just substandard lots). The proposed ordinance establishes a number of design criteria and design review procedures that help ensure compatibility with the neighborhood and protection of view.

The new ordinance procedures, if approved, will require compliance with a standard set of design criteria for all parcels residentially zoned within the Kensington area. Again, the regulatory changes would not have significant effects on human beings either directly or indirectly.

Kensington Vicinity

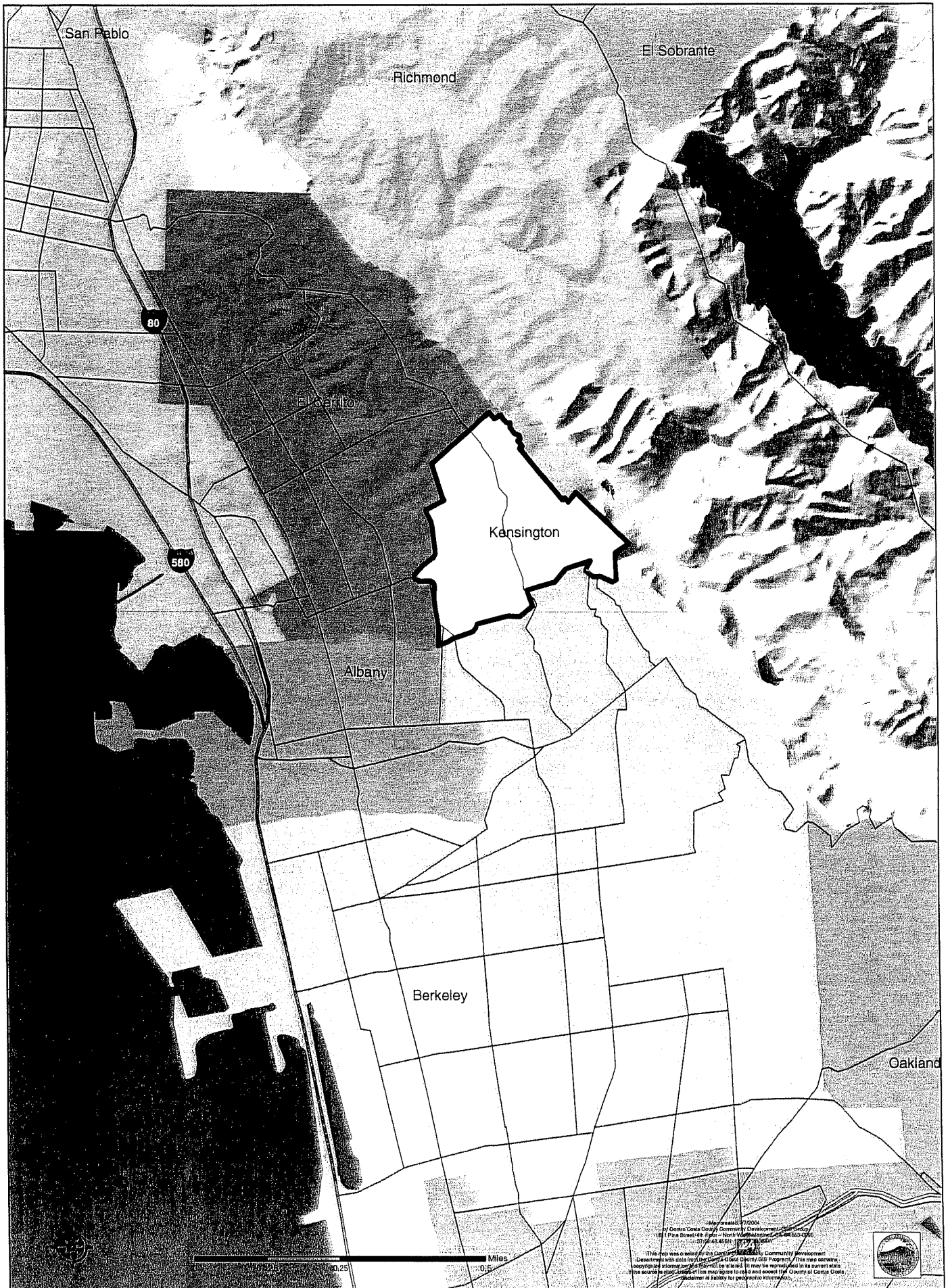
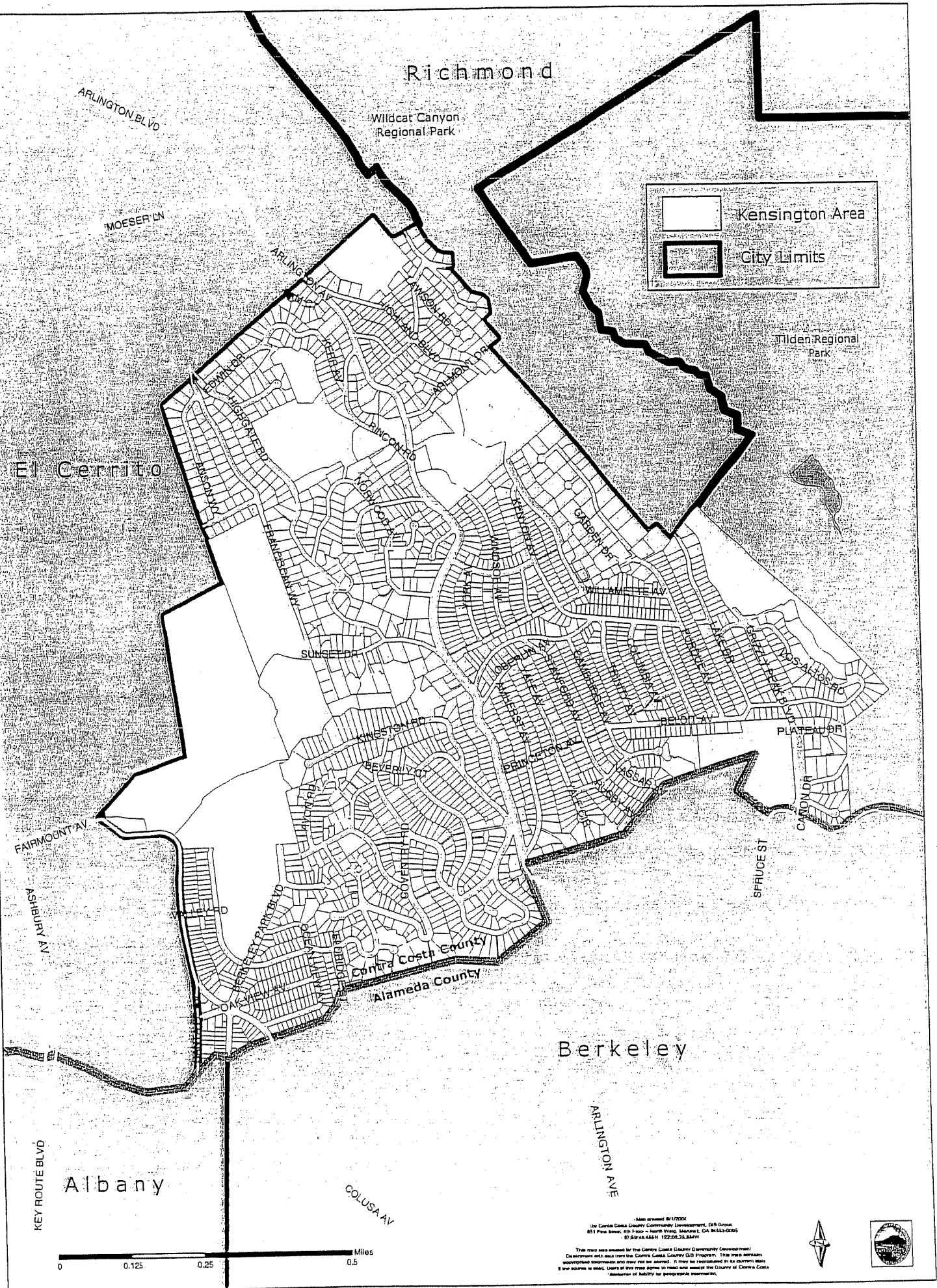
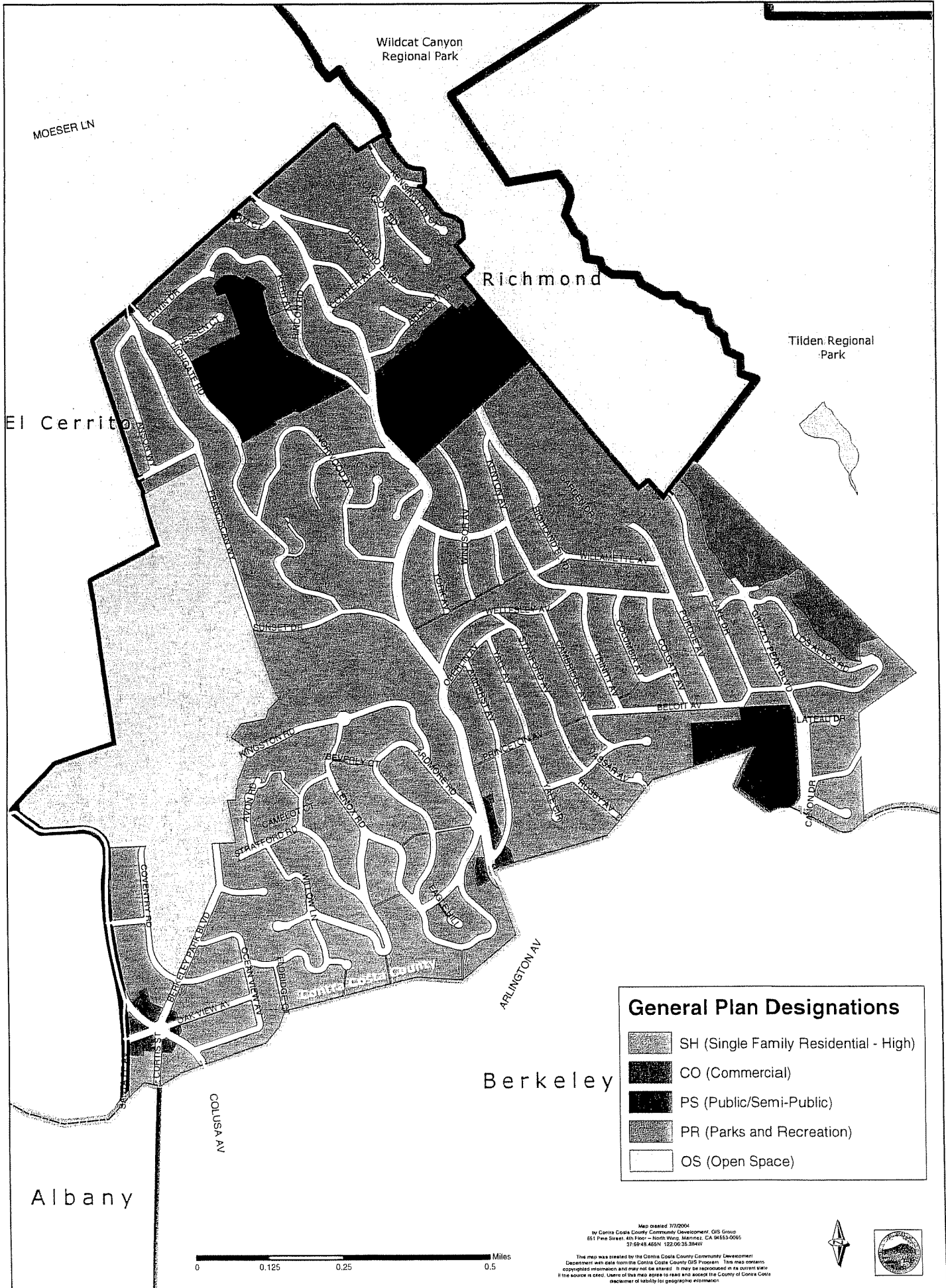


Exhibit "A": Kensington



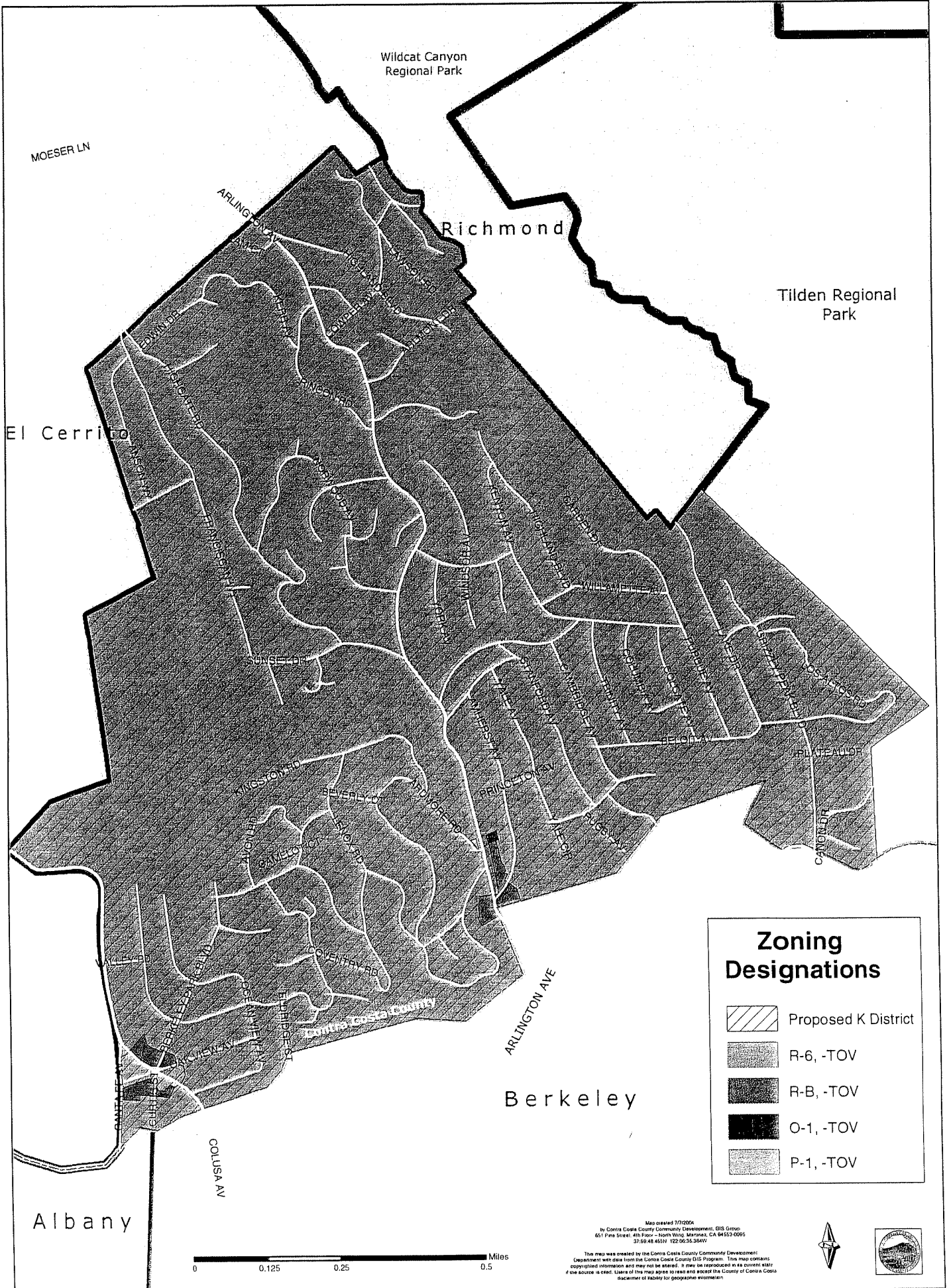
Map drawn 8/1/2004
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Existing Kensington Zoning

Exhibit "C"



PROPOSED POLICIES FOR THE KENSINGTON AREA (insert at page 3-90, Land Use Element, Contra Costa County General Plan (1995-2010))

- 3-271 Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington Community with regards to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight.
- 3-272 Preservation of views of scenic natural features (e.g. bay, mountains) and the developed environment (e.g. bridges, city skyline).
- 3-273 Review proposed residential development for design compatibility with nearby development (e.g. building mass, height, mechanical activities) and provisions for adequate parking.
- 3-274 New residential development will be reviewed against realistic impacts of privacy and sunlight on surrounding neighbors.